

1 BUCHALTER NEMER
A Professional Corporation
2 DENISE H. FIELD (SBN: 111532)
MIA S. BLACKLER (SBN: 188112)
3 CASSANDRA T. HOLMAN (SBN: 202956)
333 Market Street, 25th Floor
4 San Francisco, CA 94105-2126
Telephone: (415) 227-0900
5 Facsimile: (415) 227-0770
Email: dfield@buchalter.com

6 Attorneys for Plaintiff
7 PHOENIX FUEL CORPORATION, a Wyoming
corporation

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2007 APR -6 PM 2:09
RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CAL. S.J.

FILED

APR 27 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 (SAN JOSE)

12 PHOENIX FUEL CORPORATION, a
Wyoming corporation,

13 Plaintiff,

14 vs.

15 SUNWORLD INTERNATIONAL
16 AIRLINES, INC., EDWARD C.C.
PEAGRAM, and DOES 1 through 50,
17 inclusive,

18 Defendant.

CASE NO. C-06-06104 RMW

JOINT STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE HEARING DATE
ON DEFENDANTS' MOTION TO
DISMISS FOR LACK OF JURISDICTION
AND IMPROPER VENUE OR TO
TRANSFER TO U.S.D.C. SOUTHERN
DISTRICT OF NEW YORK

BY FAX

Date: May 4, 2007
Time: 9:00 a.m.
Before: Hon. Ronald M. Whyte
Address: 280 S. 1st Street
San Jose, CA 95113

22 IT IS HEREBY STIPULATED by and among Plaintiff Phoenix Fuel Corporation
23 ("Phoenix Fuel"), and Defendants Sunworld International Airlines, Inc. and Edward C.C.
24 Peagram (collectively, "Defendants"), through their respective counsel, that the hearing on
25 Defendants' Motion to Dismiss for Lack of Jurisdiction and Improper Venue or to Transfer To
26 U.S.D.C. Southern District of New York shall be continued to May 25, 2007, the opposition of
27 Phoenix Fuel shall be continued and shall be due on or before May 4, 2007, and Defendants'
28 reply shall be continued and shall be due on or before May 11, 2007. The reason for this

BN 1152176v2

-1-

Case No. C-06-06104 RMW

FROM :COTI&SUGRUE

FAX NO. :1203965817

Apr. 03 2007 03:58PM P3

Apr-03-07 12:48pm From-Buchalter Nemer SF

7-866 P.004/007 P-530

1 requested continuance is in furtherance of settlement negotiations.

2 Facsimile signatures on this stipulation may be considered as originals, and this
3 stipulation may be signed in counterpart.

4
5 DATED: April 3, 2007

BUCHALTER NEMER
A Professional Corporation

6
7
8 By: 

DENISE H. FIELD
Attorneys for Plaintiff
PHOENIX FUEL CORPORATION, a
Wyoming corporation

9
10
11 DATED: April 3, 2007

COTI & SUGRUE

12
13
14 By: 

STEPHEN R. SUGRUE
Attorneys for Defendants
SUNWORLD INTERNATIONAL
AIRLINES, INC. and
EDWARD C.C. PEAGRAM
(Application for Admission Pro Hac Vice
Pending)

15
16
17
18 DATED: April __, 2007

19
20 By: _____

JOSEPH EATON, ESQ.
Designated Co-Counsel for Defendants
SUNWORLD INTERNATIONAL
AIRLINES, INC. and
EDWARD C.C. PEAGRAM

21
22
23
24 IT IS SO ORDERED.

25
26 DATED: _____, 2007

HON. RONALD M. WHYTE

27
28
BUCHALTER NEMER
A Professional Corporation
By: Buchalter

BN 11231764

-2-

Case No. C-06-06104 RMW

JOINT STIP. AND [REDACTED] ORDER TO CONTINUE HEARING ON DEF. MOT. TO DISMISS

Received Apr-03-07 12:50pm

From-1203965817

To-Buchalter Nemer SF

Page 008

Te-Buchalter Nemer SF

f-001

Received Apr-05-07 03:13pm

1 requested continuance is in furtherance of settlement negotiations.

2 Facsimile signatures on this stipulation may be considered as originals, and this
3 stipulation may be signed in counterpart.

4
5
6 DATED: April 3, 2007

BUCHALTER NEMER
A Professional Corporation

7
8 By: _____

DENISE H. FIELD
Attorneys for Plaintiff
PHOENIX FUEL CORPORATION, a
Wyoming corporation

9
10
11 DATED: April __, 2007

COTI & SUGRUE

12
13
14 By: _____

STEPHEN R. SUGRUE
Attorneys for Defendants
SUNWORLD INTERNATIONAL
AIRLINES, INC. and
EDWARD C.C. PEAGRAM
(Application for Admission Pro Hac Vice
Pending)

15
16
17
18 DATED: April 5, 2007

19
20 By: 

JOSEPH EATON, ESQ.
Designated Co-Counsel for Defendants
SUNWORLD INTERNATIONAL
AIRLINES, INC. and
EDWARD C.C. PEAGRAM

21
22
23
24 IT IS SO ORDERED.

25
26 DATED: 4/27, 2007


HON. RONALD M. WHYTE